

JC07 Rec'd UPT/P10 06 FEB 2002

FORM PTO-1390 (REV 12-2001) TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 063391-0202
<i>PCT/US02/03808</i>		U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.15) UNASSIGNED 03/049164
INTERNATIONAL APPLICATION NO. UNASSIGNED	INTERNATIONAL FILING DATE 05 February 2002	PRIORITY DATE CLAIMED 5 February 2001
TITLE OF INVENTION ACTIVITY BASED PROBE ANALYSIS		
APPLICANT(S) FOR DO/EO/US Matthew P. PATRICELLI		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31)..</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <input type="checkbox"/> is transmitted herewith (required only if not communicated by the International Bureau). <input type="checkbox"/> has been communicated by the International Bureau. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</p> <p>6. <input type="checkbox"/> An English translation of the International Application as filed (35 U.S.C. 371(c)(2)). a. <input type="checkbox"/> is attached hereto b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau). <input type="checkbox"/> have been communicated by the International Bureau. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. <input type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
Items 11. to 20. below concern other document(s) or information included:		
<p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A FIRST preliminary amendment.</p> <p>14. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> a SECOND COPY OF THE English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input type="checkbox"/> Other items or information:</p>		

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<p>21. <input checked="" type="checkbox"/> The following fees are submitted:</p> <p>Basic National Fee (37 CFR 1.492(a)(1)-(5):</p> <table border="1"> <tr> <td>International preliminary examination fee (37 CFR 1.482) not paid To USPTO but International Search Report prepared by the EPO or JPO</td> <td>\$890.00</td> </tr> <tr> <td>International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4).....</td> <td>\$710.00</td> </tr> <tr> <td>International preliminary examination fee not paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2).....</td> <td>\$740.00</td> </tr> <tr> <td>Neither international preliminary examination fee (37 CFR 1.482) nor International search fee (37 CFR 1.445(a)(2)) paid to USPTO and International search report not prepared by the EPO or JPO</td> <td>\$1040.00</td> </tr> <tr> <td>International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4).....</td> <td>\$100.00</td> </tr> </table> <p>ENTER APPROPRIATE BASIC FEE AMOUNT =</p> <p>Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e))</p> <table border="1"> <thead> <tr> <th>Claims</th> <th>Number Filed</th> <th>Included in Basic Fee</th> <th>Extra Claims</th> <th>Rate</th> </tr> </thead> <tbody> <tr> <td>Total Claims</td> <td>36</td> <td>-</td> <td>20</td> <td>= 16 × \$18.00</td> </tr> <tr> <td>Independent Claims</td> <td>5</td> <td>-</td> <td>3</td> <td>= 2 × \$84.00</td> </tr> <tr> <td colspan="4">Multiple dependent claim(s) (if applicable)</td> <td>\$280.00</td> </tr> </tbody> </table> <p>TOTAL OF ABOVE CALCULATIONS =</p> <p><input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½</p> <p>SUBTOTAL = \$ 583.00</p> <p>Processing fee of \$130.00 for furnishing English translation later the <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).</p> <p>TOTAL NATIONAL FEE = \$ 583.00</p> <p>Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +</p> <p>TOTAL FEES ENCLOSED = \$ 583.00</p> <table border="1"> <thead> <tr> <th></th> <th></th> <th></th> <th></th> <th>Amount to be: refunded</th> <th>\$</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td>charged</td> <td>\$</td> </tr> </tbody> </table> <p>a. <input checked="" type="checkbox"/> A check in the amount of \$583.00 to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. <u>50-0872</u> in the amount of \$ _____ to COVER the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>50-0872</u>. A duplicate copy of this sheet is enclosed.</p> <p>D. <input checked="" type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <p>Foley & Lardner P.O. Box 80278 San Diego, California 92138-0278 Telephone: (858) 847-6700</p> <p> SIGNATURE</p> <p>NAME: MICHAEL A. WHITTAKER REGISTRATION NUMBER: 46,230</p>						International preliminary examination fee (37 CFR 1.482) not paid To USPTO but International Search Report prepared by the EPO or JPO	\$890.00	International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4).....	\$710.00	International preliminary examination fee not paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2).....	\$740.00	Neither international preliminary examination fee (37 CFR 1.482) nor International search fee (37 CFR 1.445(a)(2)) paid to USPTO and International search report not prepared by the EPO or JPO	\$1040.00	International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4).....	\$100.00	Claims	Number Filed	Included in Basic Fee	Extra Claims	Rate	Total Claims	36	-	20	= 16 × \$18.00	Independent Claims	5	-	3	= 2 × \$84.00	Multiple dependent claim(s) (if applicable)				\$280.00					Amount to be: refunded	\$					charged	\$
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